IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH DAKOTA NORTHWESTERN DIVISION

Sandra K. Kongelf, Micheal L. Larson,)	
and Douglas Pfau,)	
Plaintiffs,))	ORDER RE FILING DEPOSITION TRANSCRIPTS
VS.)	
)	
Sears Holding Corporation d/b/a K-Mart,)	
Susan Dahl, District Loss Prevention)	
Coach, Individually,)	
·)	Case No. 4:09-cv-038
Defendants.)	

D.N.D. Civ. L. R. 7.1(D)(1) requires that <u>complete</u> copies of any deposition transcripts that are used to support a motion be electronically filed. This rule was enacted to eliminate the practice of both parties "cherry picking" pieces of depositions to support motions - a practice that makes it difficult for the court to piece the testimony together the relevant testimony and often eliminates necessary context. Multiple copies of the same depositions transcripts, however, should not be filed.

In examining the docket sheet, it appears that attorney Kalk first filed excerpts of a number of deposition transcripts. Attorney Kalk shall have three days to file electronically the complete transcripts being relied upon by the defendants. Attorney Larson shall have three days to file any transcripts being relied upon by his clients that are not referenced by the defendants in support of their motion.

IT IS SO ORDERED.

Dated 16th day of March, 2010.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge